1 Robert L. Hyde, Esq. (SBN: 227183) bob@westcoastlitigation.com 2 Joshua B. Swigart, Esq. (SBN: 225557) 3 josh@westcoastlitigation.com **Hyde & Swigart** 4 411 Camino Del Rio South, Ste. 301 5 San Diego, CA 92108 Telephone: (619) 233-7770 6 Facsimile: (619) 297-1022 7 Attorneys for Plaintiff 8 **Dusty Barton** 9 UNITED STATES DISTRICT COURT 10 NORTHERN DISTRICT OF CALIFORNIA 11 12 **DUSTY L. BARTON,** CASE NO.: 07-CV-01484 PJH 13 STIPULATION TO CONTINUE PLAINTIFF, CASES MANAGEMENT 14 v. CONFERENCE 15 **BANK OF AMERICA, AND** 16 NCO FINANCIAL SYSTEMS INC., 17 18 **DEFENDANT.** 19 20 WHEREAS Plaintiff and Defendant NCO are the only two remaining parties 21 in this action, with all other parties being dismissed; and, 22 WHEREAS Plaintiff and Defendant NCO have been diligently attempting to 23 settle this matter; and, 24 WHEREAS Plaintiff and Defendant NCO feel confident that this matter is 25 on the verge of settlement; and, 26 WHEREAS Plaintiff and Defendant NCO need some additional time to 27 discuss the remaining terms of such settlement and intend to continue their diligent 28 attempts at settlement; and,

WHEREAS Plaintiff and Defendant NCO are located in remote locations with defense counsel located in Louisiana and plaintiff's counsel in San Diego, CA; and,

WHEREAS a Case Management Conference is currently on calendar for July 26, 2007 at 1:30 PM in San Francisco, CA; and,

WHEREAS a both parties agree that the expense to be incurred by counsel attending that Case Management Conference may have a significant and negative impact on the possibility of this case being settled.

THEREFORE Plaintiff and Defendant NCO do agree and stipulate to a continuance by the Court of this Case Management Conference to August 23, 2007, or a date the Court finds appropriate.

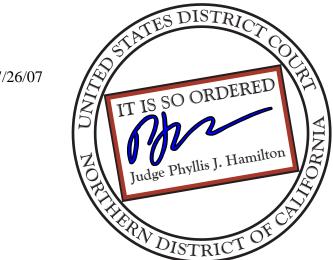
Signed: /s/ David Israel Dated: 7/25/2007

Sessions Fishman & Nathan LLP Attorneys for the Defendant

Signed: /s/ Robert L. Hyde Dated: 7/25/2007

Hyde & Swigart

Attorneys for the Plaintiff



7/26/07